

Serial No. 10/066,367

Remarks**I. Office Action Mailed March 22, 2007**

In the Office Action dated March 22, 2007, the Examiner indicated Claims 1-5 and 8-11 are allowable. Applicants thank the Examiner for the indication of allowable subject matter in Claims 1-5 and 8-11. The Examiner also indicated Claim 7 would be allowable if amended to address improper dependency and Claim 12 would be allowable if amended to overcome the rejection under 35 U.S.C. § 101. The Examiner rejected the remaining claims, Claims 13, 15-17, 19-27, 29-36 and 38-45 under 35 U.S.C. § 103. Consideration of the application is respectfully requested in light of the foregoing amendments and the following remarks.

A. Claim 7

Applicants have amended Claim 7 to correct the improper dependency. Accordingly, Applicants submit that Claim 7, as amended, should also be allowable.

B. Claim 12

Applicants have canceled Claim 12 and rewritten it as independent Claim 46 with corresponding dependent Claims 47 - 54. Applicants submit that independent Claim 46 defines patentable subject matter. MPEP Section 2106.01 states:

a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory. See *Lowry*, 32 F.3d at 1583-84, 32 USPQ2d at 1035.

Accordingly, Applicants submit that independent Claim 46 and dependent Claims 47-54 are allowable.

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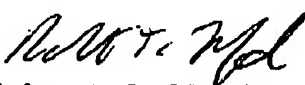
C. Claims 13, 15-17, 19-27, 29-36 and 38-45

Upon entry of the amendments in this paper, Applicants are canceling, without prejudice, Claims 13, 15-17, 19-27, 29-36, and 38-45 from further consideration in this application. Applicants are not conceding in this application that those claims are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the allowable subject matter identified by the Examiner. Applicants respectfully reserve the right to pursue these and other claims in one or more continuations and/or divisional patent applications.

Conclusion

The foregoing is submitted as a complete response to the Office Action mailed March 22, 2007. Applicants and the undersigned thank Examiner Shaw for considering these remarks. Applicants submit that the foregoing amendments place the application in condition for allowance and respectfully request such action. If the Examiner believes that any issues exist that can be resolved by telephone conference, or that any formalities exist that can be corrected by an Examiner's Amendment, please contact the undersigned at (404) 572-3505.

Respectfully submitted,


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